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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

CAESAR L. TORRES,

Plaintiff,

v.

C. R. BARD, INC.; BARD PERIPHERAL
VASCULAR, INCORPORATED,

Defendants.

CASE NO. 2:19-cv-01582-KJD-BNW

**STIPULATION TO EXTEND
DISCOVERY AND PRE-TRIAL
DEADLINES**

(SECOND REQUEST)

Comes now, Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard” or “Defendants”) and Plaintiff Caesar L. Torres (“Plaintiff”), by and through their undersigned counsel of record, pursuant to LR IA 6-2, and hereby stipulate that the discovery deadlines are extended by seventy-five (75) days.

This Stipulation is entered into as a result of the current national emergency caused by the spread of COVID-19. The process of collecting and reviewing medical records in this case is

1 taking longer than originally anticipated because of hospital delays resulting from their efforts
2 to focus on the pandemic. Additionally, the Parties have been engaged in settlement discussions
3 and have exchanged materials relating to the same.

4 Pursuant to Federal Rules of Civil Procedure 6(b) and 26, and the Court's inherent
5 authority and discretion to manage its own docket, this Court has the authority to grant the
6 requested extension. Fed. R. Civ. P. 6(b) ("When an act may or must be done within a specified
7 time the court may, for good cause, extend the time...."); Fed. R. Civ. P. 26(a) ("A party or any
8 person from whom discovery is sought may move for a protective order in the court where the
9 action is pending . . . The court may, for good cause, issue an order to protect a party or person
10 from annoyance, embarrassment, oppression, or undue burden or expense."). Furthermore,
11 Federal Rules of Civil Procedure 26(c) and 26(d) vest the Court with authority to limit the scope
12 of discovery or control its sequence. *Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) ("Rule
13 26 vests the trial judge with broad discretion to tailor discovery narrowly and to dictate the
14 sequence of discovery.").

15 This Court therefore has broad discretion to extend deadlines or stay proceedings as
16 incidental to its power to control its own docket – particularly where, as here, such action would
17 promote judicial economy and efficiency. *Bacon v. Reyes*, 2013 U.S. Dist. LEXIS 143300, at *4
18 (D. Nev. Oct. 3, 2013) (citing, *Munoz-Santana v. U.S. I.N.S.*, 742 F.2d 561, 562 (9th Cir. 1984))
19 ("Whether to grant a stay is within the discretion of the court"); *Lockyer v. Mirant Corp.*, 398
20 F.3d 1098, 1109 (9th Cir. 2005) ("A district court has discretionary power to stay proceedings
21 in its own court."); *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) ("[T]he power to stay
22 proceedings is incidental to the power inherent in every court to control the disposition of the
23 causes on its docket with economy of time and effort for itself, for counsel, and for litigants.").

24 For the foregoing reasons, the parties stipulate and request that this Court modify the
25 Stipulated Discovery Plan and Scheduling Order, Dkt. 34, as follows:

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PROPOSED DATE	DEADLINE
December 23, 2020	Case-specific fact discovery closes.
January 6, 2020	The Plaintiff shall produce case-specific expert reports.
February 10, 2021	The Defendants shall produce case-specific expert reports.
March 4, 2021	The Plaintiff shall produce any case-specific rebuttal expert reports.
March 26, 2021	The Defendants shall produce any rebuttal expert reports.
April 9, 2021	Deadline to depose the Plaintiff's case-specific experts.
May 14, 2021	Deadline to depose the Defendants' case-specific experts.
June 25, 2021	Deadline to file Daubert motions and other dispositive motions.

IT IS SO STIPULATED.

Dated this 31st day of July 2020.
WETHERALL GROUP, LTD.

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IT IS SO ORDERED.



BRENDA WEKSLER
United States Magistrate Judge

Dated this 3rd day of August 2020.